

MINUTES

Continuation of the Public Hearing Special Permit Application of Scott, Kurt & Lisa Bartsch

Thursday, April 17, 2007

Continuation of the public hearing was called to order at 8:00 PM. Members present were: R. Wood, (chair), B. Elsbach, A. Gulotta, B. Gillooly and C. Tomich. Nadia Milleron was unable to attend; R. Wood took minutes. Sign in sheet attached.

R. Wood reviewed the history of the Public Hearings on this Special Permit application. She introduced a recap document she developed to help herself review this application as well as the information presented by the applicants during previous public hearings as well as the Notice of Decisions from the ZBA on the two matters they previously ruled on regarding aspects of the Bartsches application. A copy of this was given to the Bartsches. (Recap document attached.)

She reviewed that at the last meeting a request had been made to provide a more detailed site plan with emphasis on the parking plan and how trucks would make deliveries to the site.

R. Wood indicated that she wanted to get into the record several conversations that had taken place outside of the special permit hearing. C. Tomich noted that, after the ZBA hearing, he had spoken with Tom Torrico regarding a more defined plan being needed that would focus on the parking plan as well as loading and unloading. R. Wood indicated that she had spoken with T. Torrico, following his call to her, and that she encouraged him to provide the same information to the board at the continuation of this hearing. Mr. Torrico indicated a letter would be coming from Chief of Police J. McGarry and R. Wood shared her concerns with him re: change of board membership at May election. A. Gulotta indicated his conversation with Chief McGarry and that Chief McGarry had no concerns with the parking plan he reviewed for this site.

Mr. Torrico made a presentation for the applicants during which time he provided a 4-page parking plan, (attached), which included specifications for delivery vehicles entering the south entrance and specifications for delivery vehicles entering the north entrance. 10 parking spaces were noted on the north side and 5 more configured on the south side of the building, if needed in the future.

Regarding parking safety: no cars were to be parked in the front of the building; 3 parking spaces for customers only with a customer parking sign provided for each space; and 4 "No

Parking” signs will be placed on the front of the building. No parking cones will be placed in the driveway in front of the building on days on which deliveries are to be made. A letter from Chief of Police J. McGarry was presented. No back-outs allowed onto Route 7.

Regarding the loading and unloading of trucks: 2 diagrams were presented for the north and south entrances / exits onto Route 7 to show entrance / exits of trucks. It was noted that drivers have to take safety training as a condition for licenses and holding a job. Mr. Torrico felt he covered the three main areas left from the last hearing meeting, namely parking, safety and truck loading/unloading.

Scott Bartzsch presented a video was showing a simulation of a delivery truck (in this case a larger logging truck) entering the applicant’s property. The truck was said to be the largest (36’) truck to make deliveries. Most trucks will be smaller. It was noted by the applicant that the video illustrated the most difficult of delivery scenarios: pulling into the lot from south bound, pulling into the loading zone and exiting. The truck could pull out south bound or northbound onto Route 7. The truck had a boom on it and was presented as larger than normal truck. The boom on trucks delivering goods is more compact. The area utilized by the truck as it goes onto the lawn would be paved with airport mix if needed.

Additional comments from the applicants were made. Kurt Bartzsch noted that additional delivery entrance and exit scenarios were reviewed prior to making the video and they filmed what they thought was the most complicated scenario. C. Tomich and B. Elsbach had questions on truck delivery and exit. It was pointed out that most delivery trucks conform to a route so if going south, the driver will likely keep going south; if going north usually continue north unless end of day and then exit based on end of work day considerations.

It was noted that the two businesses at this address would coordinate deliveries. Mr. Torrico noted he has few deliveries to his business. Mr. Torrico and the Bartzsches indicated they would coordinate deliveries.

Questions from the board regarding the 4/18/07 transportation plans and parking:

- Distance from the two buildings? 48’ from the back of the proposed site and the building occupied by Torrico Electric.
- Plans regarding handicapped planning? Applicant did not know. Asked to check with the Building Inspector as it would be determined by the building codes and state law.
- Question re: exit for other 7 parking spots on north side. Applicants explained their exit route.
- L fence in front of the underground gas tank. C. Tomich recommended that this be made into a 3-sided fence to protect the lid from being run over when exiting parking space #10, as noted on the parking plan presented. Mr. Torrico agreed to this.
- Question on car stops: They are concrete.
- What is plan if customers do park in front? The Bartzsches said they would go out and tell customers to move if they do park in the front of building, despite all the No Parking signs.
- Garbage? Would be put into dumpster behind Mr. Torrico’s building.
- Landscaping plans? None at this time. B. Elsbach pursued this.

- A-frame for material holding? Placement will be behind the building. Applicant updated their building plan presented during 2/27/07 hearing. Materials are for customer specific for fabrication and left over materials.

Addition comments were provided by Gail Garrett, attorney for the Torricos. She commented on the requested information on landscaping; is it included in your site plan requirements?

She provided a recap of what the Bartzsches have gone through, i.e. including Building Inspector, Conservation Commission, etc. and hoped the board recognized what they have gone through. Noted how many hoops they have had to go through for something so good for Sheffield. Told the board what it should be considering when making its decision. Also noted whether the board wanted to get rid of all the grass. Made point several times how perfectly appropriate this business was for Route 7 and what the board should be considering. She reiterated that this business is perfectly appropriate to Route 7 and noted that there were a lot worse on Route 7 than these two buildings.

B. Elsbach responded to her objective assessment and comments by noting that the time taken to process this application has not been capricious by the board but more the unusual characteristics of this site that required additional time. He noted that his business has not gone through any additional hoops (to use Attorney Garret's term) than any other business which comes before the board. The board has treated this business application with the same integrity, time and interest as it devotes to any other business.

David West noted that a shade tree is required per the by-laws as there are ten parking spaces. It was noted that the tree project in town could be contacted regarding this tree, as well other trees for the site.

No other information was presented by the applicants.

R. Wood asked board members for their questions and comments.

A. Gulotta had no questions.

B. Elsbach asked about lighting: number and compliance with Dark Sky standards. Three lights and moving one to the overhead door. Mr. Torrico noted that currently installed lights conform to the standards of the Dark Sky website, which he has reviewed. These will be in force if the lights are changed.

B. Gillooly had no questions.

C. Tomich had no questions.

R. Wood:

- Any other changes to the building layout of 2/27/07 other than the slab being added in back of the building? No, per the applicants review of the layout. Clarification of showroom materials and what goes on the A frames, namely slabs to be fabricated, fabricated goods to be delivered to the clients and remnant materials.

- Applicants were asked to do a final review on their parking plans. Changes to the 3-sided barrier surrounding the underground gas tank and the concrete car stops were noted. . No changes to the septic and leach field were required per the applicant; the Board of Health had no issues per Lisa Bartzsch.
- Signage: R. Wood noted that this is a single lot shared by the two businesses and that signage zoning by-laws are set up on the proviso of one business per lot, not per business. Applicants again stated they would abide by the sign by-laws.

C. Tomich indicated he wanted the barrier around the gas area to be tall enough to be able to be seen by someone in a car – no less than 4 feet tall – and be unmovable. It was noted that this would be likely be a condition of the special permit.

R. Wood asked again for final comments from the applicants or anyone else present. She asked if the board had any additional comments or questions. There were none.

A. Gulotta made a motion, which was seconded by W. Gillooly, to close the public hearing. By a 5-0 vote, it was closed at 9:05 PM.

Respectfully submitted,
Rene Wood